

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HOLLY JUDGE,	:	Civil Action No. 4:15-CV-0551
	:	
Plaintiff,	:	
	:	(Judge Brann)
v.	:	
	:	
SHIKELLAMY SCHOOL	:	
DISTRICT,	:	
PATRICK M. KELLEY,	:	
DR. JAMES P. HARTMAN,	:	
WENDY WIEST,	:	
LORI GARMAN,	:	
KELLIE CIANFLONE,	:	
JAMES GARMAN,	:	
C. SCOTT KARPINSKI,	:	
THOMAS MICHAELS,	:	
MICHAEL STEPP, and	:	
DR. JEFFREY WALTER,	:	
	:	
Defendants.	:	

ORDER

September 28, 2015

AND NOW, in accordance with the memorandum of this same date, it is
HEREBY ORDERED THAT:

1. Defendants' Motion to Dismiss (ECF No. 7) is GRANTED in part and
DENIED in part.
2. With respect to Plaintiff's procedural due process claim in Count I, to the
extent it is predicated on her property interest in her job as codified by 24

P.S. § 11-1122 or upon her liberty interest in her reputation, Defendants' motion to dismiss is GRANTED without prejudice, with leave to amend in accordance with this Court's decision.

3. However, to the extent Plaintiff's procedural due process claim in Count I is predicated on her property interest in her job as codified by 24 P.S. § 5-514, Defendants' motion to dismiss is DENIED.
4. Defendants' motion to dismiss is GRANTED with prejudice with respect to Plaintiff's substantive due process and equal protection claims in Counts II and III.
5. Moreover, Defendants' motion to dismiss is GRANTED with respect to Plaintiff's breach of contract claim without prejudice with leave to amend in accordance with this Court's decision.
6. Furthermore, Defendants' motion is GRANTED with regard to Plaintiff's claims for punitive damages, to the extent they are asserted against the School District and the individual Defendants in their official capacities.
7. With regard to the individual defenses, Defendants' request that the claims against the individual Defendants in their official capacities be dismissed on the basis of redundancy is GRANTED.
8. However, their request for high public official immunity is DENIED.

9. Finally, the individual Defendants' assertion of qualified immunity is GRANTED and those Defendants are accordingly dismissed from the instant action.

BY THE COURT:

/s Matthew W. Brann
Matthew W. Brann
United States District Judge